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Attorneys for Defendant
THIEN DINH LE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No.: 2:18-cr-00322-APG-BNW
)	
v.)	
)	
THIEN DINH LE,)	
)	
Defendant.)	
_____)	

**STIPULATION AND ORDER TO CONTINUE DUE DATES FOR OBJECTIONS AND
RESPONSES REGARDING PRESENTENCE INVESTIGATION REPORT**
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Defendant THIEN LE, by and through his attorney (Richard J. Pocker, Esq. of the law firm of Boies Schiller Flexner LLP), and the Plaintiff UNITED STATES OF AMERICA (hereinafter, "the Government"), by and through its attorney (Assistant United States Attorney Kevin Schiff, Esq.), that the deadline for submission of objections and responses to the Presentence Investigation Report be extended and continued to and including January 14, 2020.

This Stipulation is entered into for the following reasons:

1. The present case is currently set for sentencing on February 4, 2020. The Presentence Investigation Report was disclosed on December 6, 2019, in anticipation of the

1 February sentencing hearing. At present, objections to the Presentence Investigation Report are
2 due to be filed by December 20, 2019.

3 2. Given the recommendations of the Presentence Investigation Report, and given
4 the complexity of some of the differences between the parties as to calculation of the
5 appropriate Sentencing Guideline range for the present case, an extension of the date by which
6 objections to Presentence Investigation Report must be filed is hereby requested to and
7 including January 14, 2020.

8 3. In addition to the filing of objections to the Presentence Investigation Report,
9 Defendant LE intends to file a Sentencing Memorandum to assist the Court in determining the
10 appropriate sentence to impose. The Government also contemplates filing a memorandum
11 setting forth its sentencing arguments, or other suitable pre-sentencing filings. Ordinarily such
12 memoranda are filed with the Court on the same date as the objections to the Presentence
13 Investigation Report, and the parties at present do not request an extension of the deadline for
14 the filing of sentencing memorandum. The sentencing memoranda will consequently be on file
15 a full 21 days prior to the sentencing hearing.

16 4. Defendant LE is presently detained pending sentencing, and does not object to
17 this extension and continuance given the importance of resolving differences between the U.S.
18 Probation office, the Government and Defendant LE regarding “safety valve eligibility” and
19 other Sentencing Guidelines issues. In fact, granting the present Stipulation will enable him to
20 more adequately prepare for what is anticipated to be a potentially complicated sentencing
21 hearing.

22 5. The additional time requested herein is not sought for purpose of delay, but
23 merely to allow counsel sufficient time within which to complete efforts relevant to making
24 their respective sentencing presentations, in this unexpectedly complicated case. The requested
25 extension, in light of the February 4, 2020 sentencing date, will not adversely affect the briefing
26 and disposition of objections to the Presentence Investigation Report and the timing of the
27 sentencing hearing.

1 6. This is the first request to continue dates relative to the sentencing process, and
2 the first request to continue the date affected by the present Stipulation.

3 DATED this 19th day of December, 2019.

4 BOIES SCHILLER FLEXNER LLP

NICHOLAS A. TRUTANICH
United States Attorney

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6 By: /s/ Richard J. Pocker
7 RICHARD J. POCKER, ESQ.
8 Counsel for Thien Dinh Le

By: /s/ Kevin Schiff
KEVIN SCHIFF, ESQ.
Assistant United States Attorney

9
10 **ORDER**

11 Based on the pending Stipulation of counsel, and good cause appearing,

12 IT IS HEREBY ORDERED THAT the deadline for the filing of the parties' objections
13 to the Presentence Investigation Report be continued to January 14, 2020.

14 Dated: December 19, 2019.

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17 UNITED STATES DISTRICT JUDGE